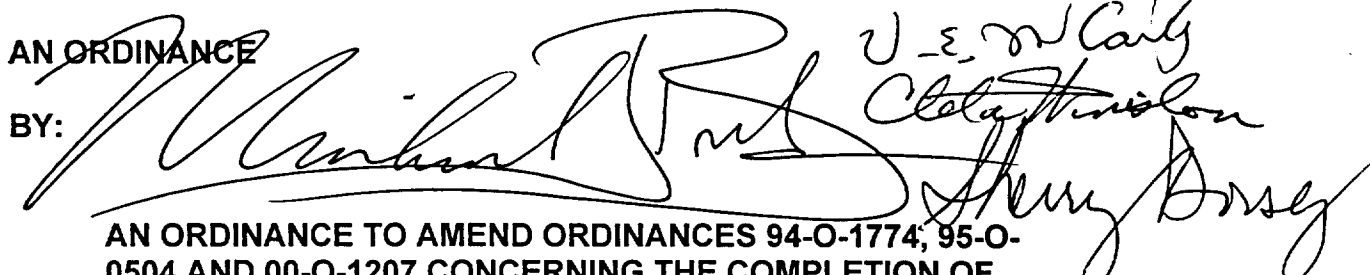


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document
attached**

AN ORDINANCE

BY:



U.E. McCarty
Clayton Wilson
Henry Dorsey

AN ORDINANCE TO AMEND ORDINANCES 94-O-1774, 95-O-0504 AND 00-O-1207 CONCERNING THE COMPLETION OF PROJECTS DESIGNATED AS PART OF THE 1994 BOND AND SEWER CAPITAL IMPROVEMENT PROJECTS; TO AMEND EXHIBIT "A" REFERENCED IN OR ATTACHED TO THOSE ORDINANCES TO INCLUDE CERTAIN ADDITIONAL COMBINED AND SANITARY SEWER CAPITAL IMPROVEMENT PROJECTS REQUIRED BY THE CONSENT DECREE (CSO) AND FIRST AMENDED CONSENT DECREE (SSO); AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 94-O-1774, adopted by the Atlanta City Council on November 7, 1994, and approved by the Mayor on November 10, 1994, waived Section 5-5026 of the Procurement and Real Estate Code and authorized the Mayor, or his designee, to enter into contracts and to issue notices to proceed for various surveying, geotechnical, design, acquisition, inspection and related services needed to accomplish the list of infrastructure improvement projects ("collectively, the "1994 Public Improvement Program List") described on Exhibit "A" of that ordinance; a copy of Ordinance 94-O-1774 is attached as Exhibit 1; and

WHEREAS, subsequently, Ordinance 95-O-0504 amended Ordinance 94-O-1774 and authorized the Mayor or his designee, or the Purchasing agent, to negotiate with property owners to acquire necessary rights-of-way and temporary or permanent construction easements and other related property interests necessary to complete the 1994 Public Improvement Program List; a copy of Ordinance 95-O-0504 is attached as Exhibit 2; and

WHEREAS, subsequently, Ordinance 00-O-1207 further amended Ordinances 94-O-1774 and 95-O-0504 and authorized the City Attorney to proceed with declarations of taking as a method of condemnation, as authorized by O.C.G.A. Sections 22-3-140 and 32-3-4, for the construction and completion of the 1994 Public Improvement Program List, and to institute condemnation proceedings pursuant to the declarations of taking to acquire title to rights-of-way, easements, and other related property interests necessary for those projects; a copy of Ordinance 00-O-1207 is attached as Exhibit 3; and

WHEREAS, The City is required by the Consent Decree (CSO) and First Amended Consent Decree (SSO) to construct additional combined and sanitary sewer capital improvement projects; and

WHEREAS, The City is also required by the First Amended Consent Decree to conduct a Sanitary Sewer System Evaluation (SSES) of its entire combined and sanitary sewer system and make necessary improvements to eliminate sewer system overflows; and

WHEREAS, The City is further required by the First Amended Consent Decree to conduct SSES studies of its combined and sanitary sewer system by organizing the system into 6 distinct sewer groups; and

WHEREAS, it has been determined to be desirable and in the best interests of the City to amend the 1994 Public Improvement Program Project List to include these additional projects and activities associated with improvements to the City's sewer system, which are expected to require the acquisition of additional property rights on behalf of the City to implement, as required by the Consent Decree (CSO) and First Amended Consent Decree (SSO).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the 1994 Public Improvement Program List attached Exhibit "A" to Ordinance 94-O-1774 and Ordinance 95-O-0504, and further addressed in Ordinance 00-O-1207, is amended to include the following projects:

- | | |
|---------|---|
| WSRE 16 | Veterans Hospital Trunk Sewer Improvement Project |
| WSRE 17 | Indian Creek/Highland Trunk Sewer Improvement Project |
| WSRE 18 | Rivers Road Sewer Rehabilitation Project |
| WSRE 19 | Sewer Group 1 Sanitary Sewer Evaluation Study Project |
| WSRE 20 | Sewer Group 2 Sanitary Sewer Evaluation Study Project |
| WSRE 21 | Sewer Group 3 Sanitary Sewer Evaluation Study Project |
| WSRE 22 | Sewer Group 4 Sanitary Sewer Evaluation Study Project |
| WSRE 23 | Sewer Group 5 Sanitary Sewer Evaluation Study Project |
| WSRE 24 | Sewer Group 6 Sanitary Sewer Evaluation Study Project |
| WSRE 25 | Nancy Creek Tunnel Project |
| WSRE 26 | Orme Street/Tanyard Creek Interceptor Sewer Improvement Project |
| WSRE 27 | Stockade Trunk Sewer Improvements Project |
| WSRE 28 | East Side Combined Sewer System Improvements |
| WSRE 29 | West Side Combined Sewer System Improvements |
| WSRE 30 | Proctor/Sandy Creek Force Main and Outfall Sewer Improvements |
| WSRE 31 | Sewer System Rights-of-Way Access and Maintenance (Citywide) |
| WSRE 32 | Flint River Pump Station, Force Main and Outfall Sewer Improvements |

WSRE 33 White Provision Trunk Sewer Improvements
WSRE 34 Tanyard Creek Trunk (Interceptor) Sewer Improvements
WSRE 35 Sugar Creek Trunk Sewer Basin Improvements
WSRE 36 Proctor Creek Trunk Sewer Improvements
WSRE 37 South and North Fork Utoy Creek Trunk and Relief Sewer
Improvements

Section 2: That the waivers and authorizations set forth in Ordinance 94-O-1774, Ordinance 95-O-0504 and Ordinance 00-O-1207 will apply to the additional projects set forth on the amended 1994 Public Improvement Program List.

Section 3: That costs associated with this Ordinance and the additional projects set forth on the amended 1994 Public Improvements Program List will be charged to and paid from the appropriate accounts and centers of Funds 2J21, 2J24, 2J25, 2J26 as previously approved by the City Council in Ordinance 95-O-0504 and future Water and Sewer bond funds.

Section 4: That, except as amended by this Ordinance, Ordinance 94-O-1774, Ordinance 95-O-0504 and Ordinance 00-O-1207 remain unchanged and of full force and effect.

#18

01-O-1118

(Do Not Write Above This Line)

AN ORDINANCE

BY:

23.00m City Clerk
[Signature]

AN ORDINANCE TO AMEND ORDINANCES 94-0-1774, 95-0-0504, and 00-0-1207 CONCERNING THE COMPLETION OF PROJECTS DESIGNATED AS PART OF THE 1994 BOND AND SEWER CAPITAL IMPROVEMENT PROJECTS; TO AMEND EXHIBIT "A" REFERENCED IN OR ATTACHED TO THOSE ORDINANCES TO INCLUDE ADDITIONAL COMBINED AND SANITARY SEWER CAPITAL IMPROVEMENT PROJECTS REQUIRED BY THE CONSENT DECREE (CSO) AND FIRST AMENDEND CONSENT DECREE (SSO); AND FOR OTHER PURPOSES.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred

7/16/01

Referred To:

City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☐ 2nd

☐ 1st & 2nd

☐ 3rd

Readings

☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

MAYOR'S ACTION